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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MANUEL M. SOARES,
Plaintiff
v.
R. GUAJARDO, et al.,
Defendants.

Case No. CV 14-9651-FMO(GJS)

**ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Complaint and all pleadings, motions, and other documents filed in this action, the Report and Recommendation of United States Magistrate Judge (“Report”), and Defendants’ Objections to the Report. The deadline for filing Objections to the Report has passed, and the Court has not received any Objections from Plaintiff. Pursuant to 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b), the Court has conducted a de novo review of those portions of the Report to which objections have been stated.

Having completed its review, the Court concludes that nothing in the Objections affects or alters the analysis and conclusions set forth in the Report.

The Court accepts the findings and recommendations set forth in the Report.

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Accordingly, **IT IS ORDERED** that:

- (1) Defendants’ Motion to Dismiss [“Motion,” Dkt. No. 22] is GRANTED insofar as the official capacity claims and request for injunctive relief set forth in the Complaint are dismissed with prejudice;
- (2) The Motion is DENIED insofar as it seeks to dismiss the Complaint’s individual capacity claims alleged against Defendants in their individual capacities; and
- (3) Within twenty-one (21) days of the entry of this Order, Defendants shall answer the Complaint as it has been amended by this Order.

IT IS SO ORDERED.

DATE: December 30, 2015

_____/s/_____
FERNANDO M. OLGUIN
UNITED STATES DISTRICT JUDGE